

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**DONNELL LEWIS,**

**Plaintiff,**

**v.**

**XAVIER BLACKBURN,**

**Defendant.**

**No. 08-0795-DRH**

**ORDER**

**HERNDON, Chief Judge:**

Pending before the Court is Plaintiff's motion to reconsider (Doc. 28). Specifically, Plaintiff moves the Court to reconsider its Order granting his motion to strike and allowing Defendant leave to re-raise affirmative defense (Doc. 25). Plaintiff is mistaken that the Court's Order allows Defendant leave to re-raise the affirmative defense carte blanche. The Court's Order allows Defendant leave to file a *motion* seeking leave to amend/add the affirmative defense. If Defendant does file this type of motion, then Plaintiff will be allowed the opportunity to respond. Thus, the Court **DENIES** Plaintiff's motion to reconsider (Doc. 28).

**IT IS SO ORDERED.**

Signed this 24th day of September, 2009.

/s/ David R. Herndon  
**Chief Judge**  
**United States District Court**